STATE OF HAWAII REQUEST FOR EXEMPTION FROM CHAPTER A03DY HRS A10:03

Chief Procurement Officer TO:

STATE PROCUREMENTARE AN FROM: Department of Accounting and General Services. ICSD, Administration. Professional Professi

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

(Department/Division/Agency)

Annual software license payments to SAS Institute Inc for PC SAS. This includes the right to use this software and the correction of any software defects.

Name of Vendor: SAS Institute Inc Address:

SAS Campus Drive

Cary, NC, 27513 USA

Cost:

\$25,729.60

Term of Contract:

From:

07/01/2004

To:

06/30/2005

Prior Exemption Ref. No. (if applicable)

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

PC SAS is software used by the ICSD and the Departments of Health, Budget and Finance, Labor, Public Safety, Tax and Land and Natural Resources. The software licensed provides these State departments and agencies with the ability to perform statistical analysis on data. Although there are a few other products that perform statistical analysis, this is the only company with products that will function on both the State's mainframe and either independently or as a down load perform similar functions on a personal computer. In addition, this software integrates a reporting feature that is flexible and permits departments and agencies to prepare quality presentations. If alternative software could be licensed locally, the cost to obtain the licenses, train staff and convert to using the software would be more than the cost of the software license from the vendor.

The amendment of Hawaii Revised Statute, chapter 103D, the State Procurement Code, by Act 52 requires contractors to register with the Department of Commerce and Consumer Affairs (DCCA) to operate as a business in Hawaii. SAS Institute Inc. is not registered with the DCCA, and has verbally stated through its representatives it will not.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

PC SAS is the intellectual property of SAS Institute Inc. and annual software license or right to use the software can only l obtained from it.

A description of the agency's internal controls and approval re-	quirements for the exempted procurement:	-
Annual software license payments are processed under the supe Services Office.	rvision of the Comptroller and the DAGS Administrative	
A list of common and the series are series are series and the series are series and the series are series are series and the series are series are series and the series are series are series are series and the series are series		_
A list of agency personnel, by position title, who will be involved	ed in the approval process and administration of the contrac	t:
Gilfred Chu, DPSA V, PPMO		
Barbara Tom, DPSM, PPMO Wayne Sasaki, DPSM, SSB		
Christie Ferreira, MA IV, ICSD		
Helen Tanigawa, Accountant, ICSD		
		_
Direct questions to: Gilfred Chu	Phone Number: 586-1920 x322	2
Ginied Cild		
This exemption should be considered for list of exemptions attac	ched to Chapter 3-120, HAR: Yes □ No □	_
I CERTIFY THAT THE INFORMATION PROVIDED		
TRUE AND	CORRECT.	
	A Wail shall	,
7	Department Head or Designee Date	_
	Comptroller	
	Title (If other than Department Head)	
Chief December 1 Office 2 Community		_
Chief Procurement Officer's Comments:	1000 010()(1)	
Approval is for an exemption from Chapt	er 103D-310(c)(1) and (2), HRS only.	
Please ensure adherence to applicable administrative requiremen	its.	
APPROVED DISAPPROVED	(MW) France 6/2/04	
	Chief Procurement Officer Date	_
cc: Administrator, State Procurement Office	▼ Control of the Con	

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STATE OF HAWAII NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS

Address: 1151 Punchbowl Street, B-10 Honolulu, Hawaii 96813 Date Post A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procuren purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any agency.							onstruction:
Vendor: SAS Institute Inc. Address: SAS Campus Drive Cary, NC 27513 USA Term of Contract: From: 07/01/2004 To: 06/30/2005 Cost: Direct any inquiries to: Gilfred Chu Department: DAGS/ICSD Phone Product Name/Title: Gilfred Chu, DPSA V Address: 1151 Punchbowl Street, B-10 Honolulu, Hawaii 96813 Date Post A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurem purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approximate the contract of the contr							
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